



Department of Justice

FOR IMMEDIATE RELEASE

Wednesday, July 2, 2008

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CRT

(202) 514-2007

TDD (202) 514-1888

Fact Sheet: Protecting Voting Rights and Preventing Election Fraud

One of the Department of Justice's (DOJ) highest priorities is to protect voting rights and enforce specific federal laws that help to ensure that all qualified voters have an opportunity to cast their ballots and have them counted. The Ballot Access and Voting Integrity Initiative was established in October 2002 to spearhead the Department's expanded efforts to address election crimes and voting rights violations. The initiative has two overarching goals: to ensure fair voting access and to protect the integrity of the election process.

As part of the initiative, on July 1-2, DOJ is holding its 7th annual Ballot Access and Voting Integrity Symposium at the Department's National Advocacy Center in Columbia, South Carolina. The symposium provides for training of Department personnel in preparation for federal elections including the Nov. 4, 2008 general election. With the participation of attorneys from 93 U.S. Attorneys' Offices, the symposium strengthens the nationwide span of expertise related to enforcement of voting rights and prosecution of election crimes.

In addition, the symposium provides guidance on federal-state coordination matters to U.S. Attorneys who in the coming months will meet with state officials responsible for handling election matters in their respective districts.

On Nov. 4, 2008, under the programs implemented by the Criminal and Civil Rights Divisions, the Department will be working hard to ensure fair access for the nation's voters, and to uphold the integrity of the nation's democratic electoral process. The Justice Department enforces specific federal voting rights laws and has accomplished significant results in the past several years. These efforts include the following:

Civil Rights Division Enforcement:

The Civil Rights Division enforces the civil provisions of the Voting Rights Act of 1965 and the subsequent amendments; the Uniformed and Overseas Citizen Absentee Voting Act of 1986 (UOCAVA); the National Voter Registration Act of 1993 (Motor Voter or NVRA); and the Help America Vote Act of 2002 (HAVA). For Election Day, Nov. 4, 2008, the Civil Rights Division will implement a comprehensive program to help ensure ballot access which will include the following:

- The Department will ensure the proper training of the District Election Officials (DEOs), in every U.S. Attorney's Office across the country on ballot access laws.

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- The Civil Rights Division will send hundreds of federal personnel, including Justice Department employees, to posts in a wide scope of states across the nation.
- In identifying locations where federal monitors may be needed, the Civil Rights Division has already sought out the views of many organizations, including advocacy groups for minority voters and voters with disabilities, as well as state and local officials.
- The Civil Rights Division has been engaged in a major outreach effort to minority groups and election officials to inform jurisdictions of their obligations under the language minority provisions of the Voting Rights Act. The Division will continue to enforce the law that requires jurisdictions meeting certain criteria to provide bilingual access to elections.
- On Election Day, voters will be able to file complaints online on the Voting Section home page <http://www.usdoj.gov/crt/voting/index.htm>. Civil Rights Division personnel will be available at a specially staffed toll free number, 1-800-253-3931, to receive complaints, and on a dedicated TTY line, 1-888-305-3228.

Civil Rights Division Record on Election Matters:

The Civil Rights Division's commitment to ensuring voter access has resulted in an unprecedented scope of observer and monitor coverage during the past six years. Moreover, a majority of all federal court orders providing for federal observers were obtained or extended by this Administration.

- In recent years, the Civil Rights Division has broken records with regard to enforcement of Section 208 of the Voting Rights Act, which assures all voters who need assistance in marking their ballots the right to choose a person they trust to provide that assistance. During the past six years, we have brought nine of the 11 such claims brought by the Department since Section 208 was enacted 26 years ago.
- The Civil Rights Division's commitment to enforcing the language minority requirements of the Voting Rights Act, reauthorized by Congress in 2006, remains strong, with nine lawsuits filed in fiscal year 2007. During the past seven years, the Civil Rights Division has brought more cases under the minority language provisions than in all other years combined since 1965.
- The Civil Rights Division continues to work diligently to protect the voting rights of our nation's military and overseas citizens under UOCAVA. In the last three fiscal years, the Division has taken legal action, or obtained relief without the need for litigation, in six states to ensure military and overseas voters' rights are protected under UOCAVA. The Division will continue to make every effort to ensure that our citizens abroad and the brave men and women of our military are afforded a full opportunity to participate in federal elections.

- In addition to the Voting Section's efforts, the Criminal Section of the Civil Rights Division will be vigilant in its scrutiny of vote suppression or intimidation schemes that may target victims on the basis of race, color, or national origin. Accordingly, the Criminal Section of the Civil Rights Division will be working closely with the Public Integrity Section of the Criminal Division to identify possible violations of the statutes that prohibit intentional interference with the right to vote.

Criminal Division Enforcement:

The Criminal Division's Public Integrity Section and the Department's 93 U.S. Attorneys Offices are responsible for enforcing the election fraud laws passed by Congress and signed by the President. On Nov. 4, 2008, they will do so by ensuring the following:

- Federal prosecutors in Washington, D.C., and throughout the nation will be readily available on Election Day to receive complaints and take any appropriate action.
- Designated DEOs will be available in each U.S. Attorney's district to receive and handle any complaints from the public.
- Criminal Division attorneys will be on duty to assist with potential election crimes from the time the polls open on the east coast until the time they close on the west coast to provide consultation and coordination with the DEOs.

Criminal Division Record on Voting Fraud:

The Criminal Division and the Department's 93 U.S. Attorneys Offices enforce laws that prohibit the following: voter intimidation; voting by ineligible individuals; vote buying; destruction of valid ballots or registrations; fraud related to counting more votes than registered voters; altering vote tallies; voting in multiple counties; abuse of absentee ballots; malfeasance by election officials; the disappearance of ballot boxes; furnishing fraudulent voter registration forms to election registrars; and forging the names of voters on absentee ballot materials.

- Since the Attorney General's Ballot Access and Voting Integrity Initiative was launched in 2002, over 140 individuals have been charged with election fraud offenses. Over 100 people have been convicted of voter fraud in that time frame.
- Over 360 election fraud investigations have been started since the initiative began in 2002. There are now approximately 90 investigations ongoing throughout the country.

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JUSTICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Wednesday, October 27, 2010

Protecting the Right to Vote and Prosecuting Ballot Fraud

WASHINGTON – In anticipation of the upcoming election, the department today provided information about its efforts, through the Civil Rights and Criminal Divisions, to ensure that all qualified voters have the opportunity to cast their ballots and have their votes counted, without incidence of discrimination, intimidation or fraud.

Civil Rights Division:

The Civil Rights Division is responsible for ensuring compliance with the civil provisions of federal laws that protect the right to vote, and with criminal law prohibiting discriminatory interference with that right.

The Civil Rights Division's Voting Section enforces civil provisions of federal laws that protect the right to vote including: the Voting Rights Act; the National Voter Registration Act; the Uniformed and Overseas Citizens Absentee Voting Act; and the Help America Vote Act. Among other things, these laws prohibit discrimination based on race or membership in a minority language group; prohibit intimidation of voters; provide that voters who need assistance in voting because of disability or illiteracy can obtain assistance from a person of their choice; require minority language election materials and assistance in certain jurisdictions; provide for accessible election machines for voters with disabilities; require provisional ballots for voters who assert they are eligible but whose names do not appear on poll books; provide for absentee ballots for service members and U.S. citizens living abroad; and require states to ensure that citizens can register at driver license offices, public assistance offices and other state agencies; and include requirements regarding maintaining voter registration lists.

The Civil Rights Division's Criminal Section enforces federal criminal statutes that prohibit voter intimidation and suppression based on race, color, national origin or religion. As it has in the past, on Election Day, Nov. 2, 2010, the Civil Rights Division will implement a comprehensive program to help ensure ballot access that will include the following:

The Civil Rights Division will announce later this week which states will have federal personnel as election monitors and observers at polling places.

Civil Rights Division attorneys in both the Voting and Criminal Sections in Washington, D.C., will be ready to receive election-related complaints of potential violations relating to any of the statutes the Civil Rights Division enforces. Attorneys in the division will take appropriate action and will consult and coordinate with local U.S. Attorneys' Offices and with other entities within the Department of Justice concerning these complaints on and after Election Day, as appropriate.

Civil Rights Division staff will be available at special toll-free numbers to receive complaints related to ballot access (1-800-253-3931) (TTY line 1-877-267-8971). In addition, individuals can also report complaints, problems or concerns related to voting via the Internet. Forms may be submitted through a link on the department's Web page: www.justice.gov/crt/election2010contact.php.

Criminal Division and the Department's 94 U.S. Attorneys' Offices:

The Department's Criminal Division oversees the enforcement of federal laws that criminalize voter fraud and protect the integrity of the federal election process.

The Criminal Division's Public Integrity Section and the Department's 94 U.S. Attorneys' Offices are responsible for enforcing the federal criminal laws that prohibit various forms of election fraud, such as vote buying, multiple voting, submission of fraudulent ballots or registrations, destruction of ballots or registrations, voter intimidation, alteration of votes and malfeasance by election officials, as well as federal civil law prohibiting voter intimidation that does not involve discrimination or intimidation on grounds of race or color.

The department's Ballot Access and Voting Integrity Initiative requires that each of the department's U.S. Attorneys' Offices coordinate with state law enforcement and election officials before the federal general elections regarding the handling of election-related matters in their respective districts. In addition, the department provides annual training for the Assistant U.S. Attorneys who serve as District Election Officers (DEOs) in their respective districts, which the department conducted this year on Aug. 31 and Sept. 1. DEOs are responsible for overseeing potential election crime matters in their districts and coordinating with the department's election crime experts in Washington, D.C.

On Nov. 2, 2010, these offices will work together and with the FBI to ensure that complaints from the public involving possible voter fraud are handled appropriately and expeditiously. Specifically:

- Federal prosecutors within the Public Integrity Section, the DEOs in U.S. Attorneys' Offices, FBI officials at headquarters in Washington, D.C., and special agents serving as Election Crime Coordinators in the FBI's 56 field offices will be on duty while polls are open to receive complaints from the public and take appropriate action.
- Public Integrity Section prosecutors will also be available to consult and coordinate with the U.S. Attorneys' Offices and FBI regarding the handling of election crime allegations.
- Voter fraud complaints may be directed to any of the local U.S. Attorneys' Offices, the local FBI offices or the Public Integrity Section (202-514-1412). A list of U.S. Attorneys' Office can be found at www.justice.gov/usao/offices/index.html and a list of FBI offices can be found at: www.fbi.gov.

Both protecting the right to vote and combating voter fraud are essential to maintaining the confidence of all Americans in our system of government.

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Office of Public Affairs



Department of Justice

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Fact Sheet: Protecting Voting Rights and Prosecuting Voter Fraud

WASHINGTON - Among the Department of Justice's highest priorities are protecting voting rights and combating voter fraud. The Department's Civil Rights Division enforces specific federal laws that help to ensure all qualified voters have an opportunity to cast their ballots and have them counted, while the Department's Criminal Division oversees the nationwide enforcement of federal laws that criminalize voter fraud and other assaults on the integrity of the federal election process.

The Department's Ballot Access and Voting Integrity Initiative:

In 2002, the Department of Justice established the Ballot Access and Voting Integrity Initiative to spearhead the Department's efforts to protect voting rights and to deter and prosecute election fraud. The ongoing initiative is supervised by the Assistant Attorneys General of the Civil Rights and Criminal Divisions, and has two overarching goals: to ensure voting access to all who qualify, and to protect the integrity of the election process and the value of every vote.

The initiative requires that each of the Department's U.S. Attorneys' Offices coordinate with state law enforcement and election officials before the federal general elections regarding the handling of election-related matters in their respective districts. In addition, the initiative provides annual training for the Assistant U.S. Attorneys from the Department's 94 U.S. Attorneys' Offices serving as District Election Officers (DEOs) in their respective districts. DEOs are election experts in the federal laws addressing election crimes and voting rights.

In July 2008, the Department held its seventh Ballot Access and Voting Integrity Symposium at the National Advocacy Center in Columbia, S.C. This additional training has strengthened the nationwide expertise related to enforcement of voting rights and prosecution of election crimes.

On Nov. 4, 2008, under the programs implemented by the Civil Rights and Criminal Divisions, the Department will be working hard to ensure fair access for the nation's voters and to uphold the integrity of the nation's democratic electoral process.

Civil Rights Division:

The Civil Rights Division enforces the civil provisions of the Voting Rights Act of 1965; the Uniformed and Overseas Citizen Absentee Voting Act of 1986 (UOCAVA); the National Voter Registration Act of 1993 (Motor Voter or NVRA); and the Help America Vote Act of 2002 (HAVA). Among other things, these civil statutes prohibit discrimination in voting on the basis of race or membership in a language minority as well as intimidation, coercion or threats against persons for exercising their right to vote. The Civil Rights Division's Criminal Section also enforces federal criminal statutes that prohibit voter intimidation based on race, color, national origin or religion. On Election Day, Nov. 4, 2008, the Civil Rights Division will implement a comprehensive program to help ensure ballot access that will include the following:

- The Civil Rights Division will send more than 800 federal personnel, including Department employees, as election monitors and observers at polling places in 23 states across the nation.
- In identifying locations where federal monitors may be needed, the Civil Rights Division has already sought out the views of many organizations, including non-governmental organizations as well as state and local officials.
- The Civil Rights Division has been engaged in a major outreach effort to non-governmental organizations and election officials to inform jurisdictions of their obligations under the language minority provisions of the Voting Rights Act. The Division will continue to enforce the law that requires jurisdictions meeting certain criteria to provide bilingual access to elections.
- Civil Rights Division attorneys in both the Voting and Criminal Sections in Washington, D.C., will be ready to receive complaints and concerns of voter intimidation or coercion, or complaints of potential violations relating to any of the statutes the Civil Rights Division enforces. Attorneys in the division will take appropriate action and will consult and coordinate with local U.S. Attorneys' Offices and with other entities within the Department of Justice concerning these complaints on and after Election Day.
- Civil Rights Division staff will be available at special toll-free numbers to receive complaints related to free and fair ballot access (1-800-253-3931), (TTY line 1-888-305-3228), including allegations of voter intimidation or coercion targeted at voters because of their race, color, national origin or religion. In addition, individuals can also report complaints, problems or concerns related to voting via the Internet. Forms may be submitted through a link on the Department's Web page:
<http://www.usdoj.gov/>.

Criminal Division and the Department's 94 U.S. Attorneys' Offices:

The Criminal Division's Public Integrity Section and the Department's 94 U.S. Attorneys' Offices are responsible for enforcing the federal criminal laws that prohibit various forms of election fraud, such as vote buying, multiple voting, voting by ineligible individuals, submission of fraudulent ballots or registrations, destruction of ballots or registrations, voter intimidation, alteration of votes and malfeasance by election officials. On Nov. 4, 2008, these offices will work together and with the FBI to ensure that complaints from the public involving possible voter fraud are handled appropriately and expeditiously. Specifically:

- Senior federal prosecutors within the Criminal Division's Public Integrity Section in Washington, D.C., will be on duty while polls are open to receive complaints and take appropriate action, and to provide consultation and coordination with the U.S. Attorneys' Offices and FBI regarding the handling of election crime allegations.
- Federal prosecutors serving as DEOs will be available in each of the 94 U.S. Attorneys' Offices to receive and handle complaints from the public involving possible election fraud.
- FBI officials will be available at FBI headquarters in Washington to receive complaints and to coordinate their handling with FBI field offices and the Criminal Division.
- FBI special agents serving as Election Crime Coordinators in the FBI's 56 field offices will be available to receive complaints from the public and to handle these matters in consultation with FBI headquarters.
- Voter fraud complaints may be directed to any of the local U.S. Attorneys' Offices, the local FBI offices or the Public Integrity Section (202-514-1412.)

The Department remains committed to vigorous enforcement of the federal laws passed by Congress that protect the right to vote, the worth of votes honestly cast, and the integrity of this country's elections.

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Department of Justice

FOR IMMEDIATE RELEASE
TUESDAY, OCTOBER 31, 2006
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(202) 514-2007
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FACT SHEET: PROTECTING VOTING RIGHTS AND PROSECUTING VOTER FRAUD

The Department of Justice plays a limited, but important, role with respect to elections. The Justice Department's Criminal and Civil Rights Divisions enforce specific federal laws that help to ensure that all qualified voters have an opportunity to cast their ballots and have them counted. More specifically, the Department is responsible for enforcing federal laws that help prevent and punish fraud and other assaults on the integrity of the election process for federal elections; for ensuring compliance with the Voting Rights Act, including preventing discrimination and voter intimidation; and for protecting the voting rights of servicemembers and overseas citizens, as well as voters with disabilities.

"The right to vote, and to have that vote count, is absolutely central to the existence of freedom," said Attorney General Alberto R. Gonzales. "As the Supreme Court has characterized it, the right to vote is the 'preservative of every other right.' The Department of Justice is committed to both ballot access and ballot integrity and together these ensure that elections reflect the will of the people, which is the foundation of our great Nation."

The Justice Department has led a major enforcement effort to assure compliance with the Voting Rights Act and other federal laws that protect American voters. During this administration, the Voting Section has broken new ground, filing the majority of all cases ever filed under the minority language provisions of the Voting Rights Act, as well as the bulk of all cases ever filed under Section 208 of the Act, which guarantees voters the right to obtain assistance in voting.

Civil Rights Division Election Day Program:

For decades, the Justice Department has conducted an Election Day program to help protect the rights of eligible voters to cast their votes. On Election Day, the Civil Rights Division will implement a comprehensive program to help ensure ballot access.

- Since the passage of the Voting Rights Act of 1965, the Justice Department has regularly sent federal observers and monitors around the country to protect the rights of all voters, including minority voters and voters who need assistance at the polls. This year, the Civil Rights Division will coordinate the deployment of hundreds of federal government employees in counties, cities and towns across the country to ensure access to the polls as required by our nation's civil rights laws.
- On Nov. 7, 2006, the Department of Justice will send a record number of federal personnel for a midterm election, including hundreds of Justice Department employees, to over 65 cities or counties in approximately 20 states to monitor the elections.

- In identifying locations where federal monitors may be needed, the Civil Rights Division has sought out the views of many organizations, including advocacy groups for minority voters and voters with disabilities, as well as state and local officials.
- On Election Day, voters will be able to file complaints online on the Voting Section home page <http://www.usdoj.gov/crt/voting/index.htm>. Civil Rights Division personnel will be available at a specially staffed toll free number, 1-800-253-3931, to receive complaints, and on a dedicated TTY line, 1-888-305-3228, that will be operational beginning Nov. 1, 2006.
- The Civil Rights Division's efforts to ensure voter access in accordance with federal law included training a responsible official, the District Election Officials (DEOs), in every U.S. Attorney's Office across the country on ballot access laws. The process began in 2002 through the Attorney General's Ballot Access and Voting Integrity Initiative. The DEOs receive annual training on these issues in Washington, D.C., and are better prepared to recognize and remediate federal ballot access issues that they may receive on Election Day.
- The Civil Rights Division's commitment to ensuring voter access has resulted in an unprecedented scope of observer and monitor coverage during the past six years. Moreover, a majority of all federal court orders providing for federal observers were obtained or extended by this administration.
- The Civil Rights Division enforces the Voting Rights Act; the National Voter Registration Act; the Uniformed and Overseas Citizens Absentee Voting Act; and the Help America Vote Act. Among other things, these laws prohibit discrimination or intimidation based on race or language; mandate the availability of voter assistance; require minority language election materials in certain jurisdictions; provide for accessible election machines for voters with disabilities and absentee ballots for servicemembers and voters abroad; and require states to ensure that citizens can register at drivers license offices and other state agencies and also ensure that their voter rolls are accurate.

The Attorney General's Ballot Access and Voting Integrity Initiative:

The Attorney General's Ballot Access and Voting Integrity Initiative was created in October 2002 to increase the Department's ability to deter election fraud and discrimination at the polls, and to prosecute these offenses – to make voting easier and cheating harder. It is imperative that in pursuing voting integrity, ballot access is not in any way diminished or harmed.

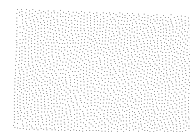
- On Election Day, the Public Integrity Section of the Justice Department's Criminal Division will have federal prosecutors readily available to receive complaints and take any appropriate action. When the polls open, the Department of Justice – both in Washington, D.C. and in the states – will be available to handle complaints and open

investigations.

- District Election Officers have been designated and will be available in each U.S. Attorneys' district to receive and handle any complaints received from the public.
- The Criminal Division's Public Integrity Section has assigned attorneys to assist with potential election crimes. Lawyers with the section will be on duty from the time the polls open on the east coast until the time they close on the west coast to provide consultation and coordination with the DEOs.
- The Justice Department enforces laws that prohibit voter intimidation, voting by ineligible individuals, bribery, destruction of valid ballots or registrations, counting more votes than there are registered voters, altering vote tallies, voting in multiple counties, abuse of absentee ballots, malfeasance by election officials, the disappearance of ballot boxes, furnishing fraudulent voter registration forms to election registrars, and forging the names of voters on absentee ballot materials.
- Since the Attorney General's Ballot Access and Voting Integrity Initiative was launched in 2002, more than 120 individuals have been charged with election fraud offenses. Eighty-six people have been convicted of voter fraud in that time frame.
- Nearly 300 election fraud investigations have been started since the initiative began in 2002. There are now approximately 200 investigations ongoing throughout the country.

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06-738





Department of Justice

FOR IMMEDIATE RELEASE

DATE July 26, 2006

AG

(202) 514-2008

The Department of Justice announced today that it is holding its 5th annual Ballot Access and Voting Integrity Symposium in Washington, DC on July 25 and 26, 2006. These annual training conferences are an important component of the Department's ongoing Ballot Access and Voting Integrity Initiative, which was established in October 2002 to spearhead the Department's expanded efforts to address election crimes and voting rights violations.

The Initiative is supervised by the Assistant Attorneys General of the Civil Rights and Criminal Divisions, and has two overarching goals: to ensure voting access to all who qualify and to protect the integrity of the election process and the worth of each person's vote. The Initiative seeks to achieve these goals by increasing the Department's efforts and effectiveness in combating election crimes, publicizing election crime convictions to deter similar crimes in the future, ensuring nationwide compliance with the federal laws protecting voting rights, and assuring the public that the Department intends to combat both election crimes and voting rights abuses vigorously, fairly, and effectively.

The Ballot Access and Voting Integrity Initiative includes:

- **Annual Training.** Prosecutors serving as District Election Officers in the 94 United States Attorneys' Offices are required to attend annual training conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division. The conferences feature presentations on voting access and ballot integrity by Civil Rights officials and senior prosecutors from the Public Integrity Section and the United States Attorneys' Offices. As a result of these conferences there is a nationwide increase in Department expertise relating to the prosecution of election crimes and the enforcement of voting rights.
- **State Coordination.** Each United States Attorney is required to meet before the November general elections with the Secretary of State or other Chief State Election Official, or the State Attorney General, responsible for handling election matters in his or her district. The purposes of these meetings are to coordinate the investigation of criminal matters involving joint federal/state jurisdiction, ensure state compliance with federal voting rights laws, and help avoid interference with the administration of elections, a function left primarily to the States by the Constitution. In addition to these preelection meetings, several U.S. Attorneys have established task forces with their state counterparts to increase their effectiveness in addressing election fraud and deterring discrimination at the polls.
- **Prioritization of Election Crime Enforcement.** The Initiative requires that all components of the Department place a high priority on the investigation and prosecution of election crimes. These crimes include both ballot fraud, such as vote buying and absentee ballot fraud, and campaign financing offenses, such as contributing to federal candidates from prohibited sources or through conduits to disguise the source or amount of the contribution. The Public Integrity Section oversees the national effort to ensure that the Department's election crime investigations and charges have sufficient factual and legal predication, that they do not interfere with an ongoing election, and that a national standard is maintained in this critical area of criminal law enforcement.

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As a result of the Initiative, nationwide enforcement of election crimes has increased dramatically. At present, 195 investigations are pending throughout the country. Moreover, since the start of the Initiative in 2002:

- Over 300 investigations of possible election crime have been opened, and over 125 election crime matters have been closed after investigation;
- 119 individuals have been charged with ballot fraud offenses and 86 individuals have been convicted of these crimes;
- 48 individuals have been charged with campaign financing fraud and 42 individuals have been convicted of these offenses.

The following cases illustrate a few of the Department's recent enforcement successes in addressing election crimes:

CRIMINAL ENFORCEMENT:

- In Alabama, a jury convicted the former sheriff of Jefferson County and his attorney of conspiracy to defraud the United States and theft of government property in connection with their use of records of the National Crime Information Center to conduct criminal history searches of absentee voters to support an election contest.
- In Florida, in the first jury convictions involving the new felony campaign financing crimes enacted by Congress in 2002, two defendants were convicted making conduit contributions to curry favor with federal officials, wire fraud, and money laundering in connection with a land fraud scheme. The lead defendant was sentenced to 10 years' imprisonment and restitution of over 12 million dollars.
- In Kansas, a congressional candidate pled guilty to bank fraud and embezzling campaign contributions and was sentenced to 15 months of imprisonment.
- In New Hampshire, the former New England Regional Director of the Republican National Committee was convicted by a jury of telephone harassment charges in connection with a scheme to prevent voters from getting to the polls in the November 2002 federal elections by jamming phone lines of local organizations. He was sentenced to 10 months of imprisonment and a fine of \$10,000. Two additional defendants, including the former Executive Director of the NH Republican State Committee, pled guilty in connection with the scheme, and a fourth defendant is currently under indictment and awaiting trial.
- In Kentucky, 12 persons were convicted of vote buying in recent federal elections, and 8 more persons were indicted on vote buying charges last week.
- In West Virginia, 15 persons were convicted of vote buying in recent elections.

CIVIL RIGHTS DIVISION ENFORCEMENT:

- ◆ **Election Coverage.** Last year, during calendar year 2005, an off-election year, the Division sent a total of 831 individuals (191 Justice Department personnel; 640 observers from the Office of Personnel Management (OPM)) to monitor 47 elections in 36 political subdivisions in 14 states. This compares to 743 individuals (103 department personnel; 640 OPM observers) sent to monitor 46 elections in 31 political subdivisions in 13 states during the 2000 Presidential election year. During all of 2004, the Division sent a total of 1,996 individuals (533 department personnel; 1,463 OPM observers) to monitor 163 elections in 105 political subdivisions in 29 states, which was well over twice as many observers as were used in all of 2000.
- ◆ **Sections 203, 208 and 4(f)(4) of the Voting Rights Act.** Since 2001, the Civil Rights Division has undertaken the most vigorous enforcement of section 203 in the history of the Voting Rights Act, filing more cases to protect the rights of voters under the minority language provisions than in the previous 26 year history of the Act – more than in five previous Administrations combined. During this period the Civil Rights Division filed the first-ever cases to protect Filipino voters (San Diego, California) and Vietnamese voters (San Diego) and in addition it negotiated a private agreement in Harris County, Texas on behalf of Vietnamese voters. Since 2002, the Division also has filed 5 of the 7 cases that have ever been filed under Section 208 of the Voting Rights Act, which provides voters who require assistance by reason of blindness, disability or inability to read or write the right, generally, to an assistor of their choice. The Division also used sections 2, 4(e) and 208 to protect the rights of Haitian voters (Miami-Dade, Florida), Arab voters (Hamtramck, Michigan), and Puerto Rican voters (Berks County, Pennsylvania).
- ◆ **Section 2.** Since the start of the Initiative, the Civil Rights Division has filed six section 2 lawsuits. Most recently, in July 2006 it filed a case against Euclid, Ohio under section 2 alleging that the mixed at-large/ward system of electing the city council dilutes the voting strength of African-American citizens. And in February 2006 the Division filed a case, and the court entered a consent decree, against Long County, Georgia under section 2 alleging that election officials required 45 Hispanic residents whose right to vote had been challenged on the grounds that they were not U.S. citizens to attend a hearing and prove their citizenship, even though there was no evidence calling into question their citizenship and even though similarly situated non-Hispanics were not required to do so. Prior cases since the start of the Initiative were filed in Osceola, Florida, Boston, Massachusetts, Noxubee County, Mississippi, and Berks County, Pennsylvania. The Noxubee County case marks the first time the Division has filed a case under the Voting Rights Act on behalf of white voters. The other cases were defending the rights of Puerto Rican, Chinese, Vietnamese and other Hispanic voters.
- ◆ **HAVA.** Since 2004, the Civil Rights Division has filed five lawsuits for compliance with the requirements of the Help America Vote Act, which mandates uniform and non-discriminatory election procedures for federal office. The Division also has obtained voluntary compliance, and has filed amicus briefs in several private HAVA cases to ensure consistency in interpretation of its provisions.
- ◆ **UOCAVA.** This year, the Division resolved long-standing structural problems affecting UOCAVA voters in three states, Alabama, North Carolina and South Carolina, involving their run-off elections, which were too close in time to the primary to allow UOCAVA voters to be able to receive and return ballots for any run-offs. The Division also initiated litigation in 2004 against Pennsylvania and Georgia, successfully obtaining court orders requiring changes in the deadlines

for the return of ballots so that overseas and military ballots would be counted in each state's 2004 primary election.

- ◆ **NVRA.** Beginning in 2002 the Division has brought six lawsuits under the National Voter Registration Act, a law designed to expand registration opportunities for all citizens and to ensure proper maintenance of voter registration lists. Within the past month, the Division filed a consent decree with the State of Indiana, which had failed to ensure that it has a uniform general list maintenance program that makes a reasonable effort to remove ineligible voters from the rolls consistent with the requirements and protections of the NVRA. The State had admitted that it had over 29,000 possible deceased registrants on the State's registration lists and nearly 290,000 possible duplicate registrations, none of which had been removed from the State's registration database prior to the consent decree. In both Indiana, and in a case filed against the State of Missouri in late 2005, numerous counties had voter registration rolls that contained more voters registered to vote than there were persons in the county of voting age.

"Although our efforts have two principal aims – the prosecution of election crimes and the protection of voting rights – these two aims are complementary: Without one, the other is meaningless. Regardless of whether a voter's ballot is diluted by fraud or an eligible voter is denied the opportunity to cast a ballot, the end result is the same: an election that does not reflect the will of the people," stated Alice S. Fisher, Assistant Attorney General, Criminal Division

Said Assistant Attorney General for Civil Rights Wan J. Kim, "This Attorney General's Initiative has resulted in different offices at the Department of Justice working together and achieving record results. These investigations and prosecutions, both vindicating the rights of voters, and the integrity of the ballot, promote the confidence of average voters in our country's democratic system."

As the above cases and enforcement actions demonstrate, the Department's Ballot Access and Voting Integrity Initiative is a balanced effort that is designed to make voting easier and cheating more costly. Through vigorous enforcement of the voting rights and election crime statutes, the Department will continue to enforce federal voting rights and criminal laws in a way that ensures that the right to vote is protected, and that those who seek to dilute the worth of honest votes through corruption know that the Department will use all available resources to bring them to justice.

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Department of Justice

FOR IMMEDIATE RELEASE
DATE July 26, 2006

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The Department of Justice announced today that it is holding its 5th annual Ballot Access and Voting Integrity Symposium in Washington, DC on July 25 and 26, 2006. These annual training conferences are an important component of the Department's ongoing Ballot Access and Voting Integrity Initiative, which was established in October 2002 to spearhead the Department's expanded efforts to address election crimes and voting rights violations.

The Initiative is supervised by the Assistant Attorneys General of the Civil Rights and Criminal Divisions and has two overarching goals: to ensure voting access to all who qualify and to protect the integrity of the election process and the worth of each person's vote. The Initiative seeks to achieve these goals by increasing the Department's efforts and effectiveness in combating election crimes, publicizing election crime convictions to deter similar crimes in the future, ensuring nationwide compliance with the federal laws protecting voting rights, and assuring the public that the Department intends to combat both election crimes and voting rights abuses vigorously, fairly, and effectively.

The Ballot Access and Voting Integrity Initiative includes:

- **Annual Training.** Prosecutors serving as District Election Officers in the 94 United States Attorneys' Offices are required to attend annual training conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division. The conferences feature presentations on voting access and ballot integrity by Civil Rights officials and senior prosecutors from the Public Integrity Section and the United States Attorneys' Offices. As a result of these conferences there is a nationwide increase in Department expertise relating to the prosecution of election crimes and the enforcement of voting rights.
- **State Coordination.** Each United States Attorney is required to meet before the November general elections with the Secretary of State, State Attorney General, or other state election or law enforcement official responsible for handling election matters in his or her district. The purposes of these meetings are to coordinate the investigation of criminal matters involving joint federal/state jurisdiction, ensure state compliance with federal voting rights laws, and help avoid interference with the administration of elections, a function left primarily to the States by the Constitution. In addition to these preelection meetings, several U.S. Attorneys have established task forces with their state counterparts to increase their effectiveness in addressing election fraud and deterring discrimination at the polls.
- **Prioritization of Election Crime Enforcement.** The Initiative requires that all components of the Department place a high priority on the investigation and

prosecution of election crimes. These crimes include both ballot fraud, such as vote buying and absentee ballot fraud, and campaign financing offenses, such as contributing to federal candidates from prohibited sources or through conduits to disguise the source or amount of the contribution. The Public Integrity Section oversees the national effort to ensure that the Department's election crime investigations and charges have sufficient factual and legal predication, that they do not interfere with an ongoing election, and that a national standard is maintained in this critical area of criminal law enforcement.

CRIMINAL ENFORCEMENT

Although our efforts have two principal aims – the prosecution of election crimes and the protection of voting rights – these two aims are complementary: Without one, the other is meaningless. Regardless of whether a voter's ballot is diluted by fraud or an eligible voter is denied the opportunity to cast a ballot, the end result is the same: an election that does not reflect the will of the people.

– Alice S. Fisher, Assistant Attorney General, Criminal Division

As a result of the Initiative, nationwide enforcement of election crimes has increased dramatically. At present, 195 investigations are pending throughout the country. Moreover, since the start of the Initiative in 2002:

- Over 300 investigations of possible election crime have been opened and over 125 election crime matters have been closed after investigation;
- 119 individuals have been charged with ballot fraud offenses and 86 individuals have been convicted of these crimes;
- 48 individuals have been charged with campaign financing fraud and 42 individuals have been convicted of these offenses.

The following cases illustrate a few of the Department's recent enforcement successes in addressing election crimes:

- * In Alabama, a jury convicted the former sheriff of Jefferson County and his attorney of conspiracy to defraud the United States and theft of government property in connection with their use of records of the National Crime Information Center to conduct criminal history searches of absentee voters to support an election contest.
- * In Florida, in the first jury convictions involving the new felony campaign financing crimes enacted by Congress in 2002, two defendants were convicted of making conduit contributions to curry favor with federal officials, wire fraud, and money laundering in connection with a land fraud scheme. The lead defendant was sentenced to 10 years' imprisonment and restitution of over 12 million dollars.

- * In Kansas, a congressional candidate pled guilty to bank fraud and embezzling campaign contributions and was sentenced to 15 months of imprisonment.
- * In New Hampshire, the former New England Regional Director of the Republican National Committee was convicted by a jury of telephone harassment charges in connection with a scheme to prevent voters from getting to the polls in the November 2002 federal elections by jamming phone lines of local organizations. He was sentenced to 10 months of imprisonment and a fine of \$10,000. Two additional defendants, including the former Executive Director of the NH Republican State Committee, pled guilty in connection with the scheme, and a fourth defendant is currently under indictment and awaiting trial.
- * In Kentucky, 12 persons were convicted of vote buying in recent federal elections, and 8 more persons were indicted on vote buying charges last week.
- * In West Virginia, 15 persons were convicted of vote buying in recent elections.

CIVIL RIGHTS ENFORCEMENT

Election Coverage. Last year, during calendar year 2005, an off-election year, the Division sent a total of 831 individuals (191 Justice Department personnel; 640 observers from the Office of Personnel Management) to monitor 47 elections in 36 political subdivisions in 14 states. This compares to 743 individuals (103 Department personnel; 640 OPM observers) sent to monitor 46 elections in 31 political subdivisions in 13 states during the 2000 presidential election year.

On election day in November 2004, the Division sent out 251 employees from the Division and 822 federal observers from OPM to monitor elections in 86 political subdivisions in 25 states. During all of 2004, the Division sent a total of 1,996 individuals (533 Department personnel; 1,463 OPM observers) to monitor 163 elections in 105 political subdivisions in 29 states, which was well over twice as many observers as were used in all of 2000.

Sections 203, 208 and 4(f)(4) of the Voting Rights Act. The Civil Rights Division has undertaken the most vigorous enforcement of section 203 in the history of the Act. Since 2001, the Division has filed more cases to protect the rights of voters under the minority language provisions of the Voting Rights Act than in the previous 26 year history of the Act – more than in five previous Administrations combined. These latter lawsuits alone provided comprehensive minority language programs to more citizens than all previous Section 203 and 4(f)(4) cases combined. During this period the Civil Rights Division filed the first-ever cases to protect Filipino voters (San Diego, California) and Vietnamese voters (San Diego) and in addition it negotiated a private agreement in Harris County, Texas on behalf of Vietnamese voters.

Since 2002, the Division also has filed 5 of the 7 cases that have ever been filed under Section 208 of the Voting Rights Act. Section 208 provides voters who require assistance by

reason of blindness, disability or inability to read or write the right to an assistor of their choice, other than a voter's employer, union representative or agents of the same. The Division also used sections 2, 4(e) and 208 to protect the rights of Haitian voters (Miami-Dade, Florida), Arab voters (Hamtramck, Michigan), and Puerto Rican voters (Berks County, Pennsylvania).

Section 2. Since the start of the Initiative, the Civil Rights Division has filed six section 2 lawsuits. In July 2006 it filed a case against Euclid, Ohio under section 2 alleging that the mixed at-large/ward system of electing the city council dilutes the voting strength of African-American citizens. In February 2006 the Division filed a case against Long County, Georgia under section 2 alleging that election officials required 45 Hispanic residents whose right to vote had been challenged on the grounds that they were not U.S. citizens to attend a hearing and prove their citizenship, even though there was no evidence calling into question their citizenship and even though similarly situated non-Hispanics were not required to do so. On February 10, 2006, the district court entered a consent decree that requires defendants to train their election officials and poll workers on federal law, to maintain uniform procedures for responding to voter challenges, and to notify Hispanic voters who were challenged that no evidence was presented to support the challenges against them and that they are free to vote.

In July 2005, the Civil Rights Division filed a case against Osceola, Florida under section 2 alleging that the at-large method of election for the county commission dilutes Hispanic voting strength. It also filed a case against Boston, Massachusetts for discriminatory treatment of Chinese, Vietnamese and Hispanic voters in July. On October 18, 2005, a three-judge court approved a consent decree with Boston, and issued an order authorizing federal examiners through December 31, 2008. In February 2005, the Division filed a case in Noxubee County, Mississippi under section 2, alleging that local officials routinely discriminated against white voters on the basis of their race. That case has already resulted in a consent decree with several local officials and litigation of the claims against remaining defendants is ongoing. The Noxubee County case marks the first time the Division has filed a case under the Voting Rights Act on behalf of white voters. In February 2003, the Division filed a case involving section 2 claims, among others, against Berks County, Pennsylvania, alleging that the County discriminated against Hispanic individuals, primarily Puerto Rican voters, through hostile treatment at the polls, failure to provide adequate language assistance, and by not permitting Hispanic voters to bring assistors of their choice into the polling place. The court granted a preliminary injunction on March 18, 2003, and permanent relief on August 20, 2003.

HAVA. Since 2004, the Civil Rights Division has filed five lawsuits for compliance with the requirements of the Help America Vote Act of 2002, which mandates uniform and non-discriminatory election procedures for federal office. The Division also has actively informed state and local officials of the Act's requirements through an extensive outreach effort, including the creation of a HAVA section on the Division website, responses to questions from election officials, and speeches given to election official conferences. The Division has worked closely with the Election Assistance Commission, which also has responsibilities under the Act, to ensure that the federal government gives consistent views to election officials about HAVA. The Division also has obtained voluntary compliance, and has filed amicus briefs in several private HAVA cases to ensure consistency in interpretation of its provisions.

UOCAVA. Since the start of the Initiative, the Civil Rights Division has worked with the Federal Voting Assistance Program at the Department of Defense to ensure that for each federal election that members of the armed forces and other persons protected by the Uniformed and Overseas Citizens Absentee Voting Act were able to request, receive and cast a ballot for federal offices in a timely manner. The Voting Section has often been able to resolve problems with state officials without the necessity of litigation. This year, the Division resolved long-standing structural problems affecting UOCAVA voters in three states, Alabama, North Carolina and South Carolina, involving their run-off elections, which were too close in time to the primary to allow UOCAVA voters to be able to receive and return ballots for any run-offs. The Division also initiated litigation in 2004 against Pennsylvania and Georgia, successfully obtaining court orders requiring changes in the deadlines for the return of ballots so that overseas and military ballots would be counted in each state's 2004 primary election.

NVRA. Beginning in 2002 the Division has brought six lawsuits under the National Voter Registration Act, a law designed to expand registration opportunities for all citizens and to ensure proper maintenance of voter registration lists. Within the past month, the Division filed a consent decree with the State of Indiana, which had failed to ensure that it has a uniform general list maintenance program that makes a reasonable effort to remove ineligible voters from the rolls consistent with the requirements and protections of the NVRA. The State had admitted that it had over 29,000 possible deceased registrants on the State's registration lists and nearly 290,000 possible duplicate registrations, none of which had been removed from the State's registration database prior to the consent decree. In both Indiana, and in a case filed against the State of Missouri in late 2005, numerous counties had voter registration rolls that contained more voters registered to vote than there were persons in the county of voting age. In 2004, the Division sued Pulaski County, Arkansas, and was able to obtain a consent decree requiring the county to establish procedures to ensure that eligible voters were not improperly removed from the list of registered voters. That same year the Division sued the State of New York over the state's failure to provide registration opportunities at public college offices that provide services to persons with disabilities. This case remains in litigation. Cases were filed in 2002 against Tennessee and the City of St. Louis, Missouri over failures to comply the NVRA.

As the above cases and enforcement actions demonstrate, the Department's Ballot Access and Voting Integrity Initiative is a balanced effort that is designed to make voting easier and cheating more costly. Through vigorous enforcement of the voting rights and election crime statutes, the Department will continue to enforce federal voting rights and criminal laws in a way that ensures that the right to vote is protected, and that those who seek to dilute the worth of honest votes through corruption know that the Department will use all available resources to bring them to justice.



Department of Justice

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WEDNESDAY, JULY 26, 2006
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(202) 514-2007
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Justice Department Holds Fifth Annual Symposium on Ballot Access and Voting Integrity Initiative

WASHINGTON – The Department of Justice announced today that it is holding its fifth annual Ballot Access and Voting Integrity Symposium in Washington, D.C. on July 25 and 26, 2006. These annual training conferences are an important component of the Department's ongoing Ballot Access and Voting Integrity Initiative, which was established in Oct. 2002 to spearhead the Department's expanded efforts to address election crimes and voting rights violations.

The Initiative is supervised by the Assistant Attorneys General of the Civil Rights and Criminal Divisions, and has two overarching goals: To ensure voting access to all who qualify and to protect the integrity of the election process and the worth of each person's vote. The Initiative seeks to achieve these goals by increasing the Department's efforts and effectiveness in combating election crimes, publicizing election crime convictions to deter similar crimes in the future, ensuring nationwide compliance with the federal laws protecting voting rights, and assuring the public that the Department intends to combat both election crimes and voting rights abuses vigorously, fairly and effectively.

"Although our efforts have two principal aims – the prosecution of election crimes and the protection of voting rights – these two aims are complementary: Without one, the other is meaningless. Regardless of whether a voter's ballot is diluted by fraud or an eligible voter is denied the opportunity to cast a ballot, the end result is the same: an election that does not reflect the will of the people," said Alice S. Fisher, Assistant Attorney General for the Justice Department's Criminal Division.

"This Attorney General's Initiative has resulted in different offices at the Department of Justice working together and achieving record results," said Wan J. Kim, Assistant Attorney General for Civil Rights. "These investigations and prosecutions, both vindicating the rights of voters, and the integrity of the ballot, promote the confidence of average voters in our country's democratic system."

As a result of the Initiative, nationwide enforcement of election crimes has increased dramatically. At present, 195 investigations are pending throughout the country. Moreover, since the start of the Initiative in 2002 over 300 investigations of possible election crime have been opened, and over 125 election crime matters have been closed after investigation; 119 individuals have been charged with ballot fraud offenses and 86 individuals have been convicted of these crimes; and 48 individuals have been charged with campaign financing fraud and 42 individuals have been convicted of these offenses.

The Department's Ballot Access and Voting Integrity Initiative is a balanced effort that is designed to make voting easier and cheating more costly. Through vigorous enforcement of the voting rights and election crime statutes, the Department will continue to enforce federal voting rights and criminal laws in a way that ensures that the right to vote is protected, and that those who seek to dilute the worth of honest votes through corruption know that the Department will use all available resources to bring them to justice.

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FACT SHEET PROTECTING VOTING RIGHTS AND PREVENTING ELECTION FRAUD

"Just one instance of fraud or one citizen who cannot exercise the power to vote is too many. Our work continues until every qualified citizen in every community in America has an equal chance to vote – and to have that vote count." – Attorney General Alberto R. Gonzales, October 4, 2005

- For over 30 years, the Justice Department has had an Election Day program to ensure the right of eligible voters to cast their votes and help shape the nation's political leadership.
- The Department of Justice has responsibility for enforcing federal civil rights laws guaranteeing voting rights and for prosecuting voter fraud. The Civil Rights and Criminal Divisions of the Department of Justice are involved in election matters to ensure both ballot access and ballot integrity.
 - The Criminal Division and the Department's 93 U.S. Attorneys are responsible for enforcing the election fraud laws passed by Congress and signed by the President.
 - The Civil Rights Division is charged with enforcing the Voting Rights Act of 1965 as well as the National Voter Registration Act, both of which are designed to guarantee access to the polls on Election Day.
 - In October 2002, the Department established a new law enforcement initiative, called the Ballot Access and Voting Integrity Initiative, to provide increased protections against election fraud and voting rights abuses. The Initiative mandated increased Department-wide efforts to enforce federal civil rights laws guaranteeing voting rights as well as to deter, and if necessary, investigate and prosecute voter fraud.
 - The Justice Department will have its Election Day program in place for the November 8, 2005 elections.

Election Day Program

"Election crimes strike at the core of our representative system of government. Vigorous investigation and prosecution of those who commit election crimes thus serves two important goals: first, to punish those responsible for these crimes and to dismantle their corrupt

machines, and, second, to assure the public that the integrity of the election process is one of the Department's highest priorities."

- Assistant Attorney General of the Criminal Division Alice S. Fisher

"Protecting access to the ballot for all eligible voters on Election Day is a major priority of the Civil Rights Division. We are committed to safeguarding the voting rights of all Americans."

- Acting Assistant Attorney General for Civil Rights Bradley J. Schlozman

- On November 8, 2005, the Department of Justice will have in place its nationwide program to guarantee access to the polls, protect individual voting rights, and deter voter fraud and voter intimidation. In those districts where voting activity will take place, federal prosecutors, investigators, and Civil Rights Division attorneys will be readily available to the public for the purpose of receiving complaints and taking any appropriate action when the polls are open on Election Day. When the polls open, the resources of the Department of Justice – both in Washington, D.C. and in the states – will be available to handle complaints, ensure access, and open investigations.
- **Criminal Division:**
 - ✓ The Criminal Division's Public Integrity Section has assigned attorneys to assist with potential voter fraud cases, as needed.
 - ✓ Lawyers with the Public Integrity Section will be on duty from the time the polls open on the East Coast until the time they close on the West Coast to provide consultation and coordination with the Department's District Election Officers.
 - ✓ Since the 2002 commencement of the Ballot Access and Voting Integrity Initiative, the Criminal Division and the U.S. Attorneys' Offices have opened nearly 200 criminal investigations of alleged election fraud or voter intimidation. Over 120 of these investigations are currently pending. In addition, since the Initiative began, over 95 persons have been charged with election fraud offenses, and over 55 of these defendants have been convicted.
 - ✓ The Justice Department will enforce the laws that prohibit:
 - voter intimidation;
 - voting by ineligible individuals;
 - bribery of voters;
 - destruction of valid ballots or registrations;
 - altering vote tallies;
 - multiple voting;
 - absentee ballot fraud;
 - malfeasance by election officials; and
 - ballot- box tampering or destruction.

▪ **Civil Rights Division:**

- ✓ On Election Day, Civil Rights Division personnel will be available at a toll free number to receive complaints.
- ✓ Since the passage of the Voting Rights Act of 1965, the Justice Department has regularly sent observers around the country to protect the voting rights of all citizens, including minority and elderly voters. This year, the Civil Rights Division will once again have monitors and observers in cities and towns across the country to ensure access to the polls, and to enforce our nation's civil rights laws.
- ✓ The Division has been engaged in a major outreach effort to minority groups and election officials to inform jurisdictions of their obligations under the Language Minority Provision of the Voting Rights Act. The Division will enforce the law that requires jurisdictions meeting certain criteria to provide bilingual access to elections.
- ✓ The Division will enforce existing consent decrees.

▪ **Election Day Contact Information:**

- ✓ Voting Section [COMPLAINTS RELATED TO BALLOT ACCESS]
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
800-253-3931
- ✓ Public Integrity Section [COMPLAINTS RELATED TO BALLOT INTEGRITY]
Criminal Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
202-514-1412
- ✓ Office of Public Affairs [ALL MEDIA INQUIRIES]
950 Pennsylvania Avenue, NW
Washington, DC 20530
202-514-2007

**Background Information on the Justice Department's Mission
to Protect Voting Rights and Prevent Election Fraud**

- **The Ballot Access and Voting Integrity Initiative.** In October 2002, then-Attorney General John Ashcroft ordered the creation of a Department-wide Ballot Access and Voting Integrity Initiative. The goals of this ongoing Initiative are to:

- ✓ enhance the Department's ability to deter discrimination and voter fraud; and
- ✓ prosecute violators vigorously whenever and wherever these offenses occur.
- **Civil Rights and Criminal Division Leaders Heading Initiative.** To protect the vote of Americans, resources from across the Department of Justice have been committed to this effort. Acting Assistant Attorney General of the Civil Rights Division Bradley Schlozman and Assistant Attorney General of the Criminal Division Alice S. Fisher are leading this initiative.
- **Annual Voting Integrity Seminars.** Each year since the start of the Initiative the Justice Department holds a training seminar in Washington, D.C., for District Election Officers of all 93 U.S. Attorneys' Offices. These annual two-day seminars provide comprehensive training to federal prosecutors on the handling of election fraud and voting rights violations. This year's conference was held on October 4-5.
- **Designating Federal Prosecutors to Address Voting Matters.** The Attorney General directed all 93 U.S. Attorneys to designate a District Election Officer responsible for our efforts on Election Day. These officers are experienced Assistant U.S. Attorneys with knowledge of the laws that address election fraud, as well as laws that:
 - ✓ prohibit racial discrimination and voter intimidation;
 - ✓ govern absentee voting for uniformed and overseas citizens, the elderly, and citizens with disabilities; and
 - ✓ protect the voting rights of minority language Americans.
- **District Election Officers.** These officers are election experts in their districts, and implement the Department of Justice's response to election fraud and campaign financing crimes under the overall supervision of the Public Integrity Section pursuant to 9 U.S.A.M. 85.210.
- **State Coordination.** Pursuant to the Initiative, District Election Officers meet before significant elections with state and local election and law enforcement officials to coordinate the handling of election matters and offer federal assistance in the investigation and prosecution of election-related crimes that may occur in their respective districts.



Department of Justice

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TUESDAY, AUGUST 2, 2005
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(202) 514-2008
TDD (202) 514-1888

DEPARTMENT OF JUSTICE TO HOLD BALLOT ACCESS AND VOTING INTEGRITY SYMPOSIUM

Conference to Focus on Election Fraud, Voting Rights

WASHINGTON, D.C. – The Department of Justice announced today that the 4th annual Ballot Access and Voting Integrity Symposium will be held in Washington, D.C. on Oct. 4 and 5, 2005. The annual training conference is part of the Ballot Access and Voting Integrity Initiative, which was established in October 2002 to spearhead the Department's expanded efforts to address election fraud and voting rights violations.

The initiative is headed by the Assistant Attorneys General of the Criminal and Civil Rights Divisions. The goal of the initiative is to protect the integrity of the election process by increasing the Department's efforts and effectiveness in combating election fraud by: publicizing election fraud convictions to deter similar crimes in the future; ensuring nationwide compliance with the federal laws protecting voting rights; and assuring the public that the Department will combat election fraud and voting rights abuses vigorously, fairly and effectively.

"The power to vote is one of the greatest opportunities we share as Americans," said Attorney General Alberto R. Gonzales. "The very fiber of our Nation rests on the zealous protection of certain inalienable rights for every citizen, and we cannot grow complacent in the safeguarding of those rights. The Department of Justice will continue to aggressively protect each person's right to vote – and just as important – preserve the value of that vote from those who would corrupt the election process."

The Ballot Access and Voting Integrity Initiative includes:

Annual Training. Prosecutors serving as District Election Officers in the 94 U.S. Attorneys' Offices are required to attend annual training conferences on fighting election fraud and voting rights abuses. Previous conferences were held in October 2002, September 2003 and July 2004. These conferences are sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, and feature presentations by Civil Rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices. As a result of these conferences, there is a nationwide increase in Department expertise relating to the prosecution of election crimes and the enforcement of voting rights.

State Coordination. Each U.S. Attorney is required to meet with the state Attorney General, Secretary of State, or other state official responsible for handling election matters in his or her district. These meetings underscore the Department's commitments to: prosecute election fraud and to protect voting rights; coordinate investigation of criminal matters involving joint federal and state jurisdiction; help ensure state compliance with federal voting rights laws; and avoid interference with the administration of elections, a function left primarily to the states by

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the Constitution. In addition, several U.S. Attorneys have established task forces with their state counterparts to increase their effectiveness in addressing election fraud and in deterring both discrimination at the polls and electoral corruption.

Prioritization of Election Fraud Enforcement. The initiative requires that all components of the Department place a high priority on the investigation and prosecution of election fraud. The Criminal Division's Public Integrity Section oversees the national effort to ensure that election fraud investigations and charges have sufficient factual and legal predication, that they will not interfere with an ongoing election, and that a national standard is maintained in this critical area of criminal law enforcement. As a result of the initiative, nationwide enforcement of election fraud matters has increased dramatically.

More than 120 election fraud investigations are currently pending throughout the country, all but four of which were opened after the initiative began in October 2002. In addition, over 60 election fraud matters have been closed after investigation since the initiative began. Finally, since the start of the initiative, 89 individuals have been charged with election fraud offenses. To date, 52 of these individuals have been convicted.

The following are examples of the Department's enforcement successes under the Ballot Access and Voting Integrity Initiative:

CRIMINAL DIVISION

- In Illinois, four precinct officials pleaded guilty to vote buying in the 2004 general election and five more people are awaiting trial on these charges. Also, an election official pleaded guilty to forging ballots in the 2002 general election.
- In Kentucky, seven persons were convicted of vote buying in the 1998 primary in Knott County, two at trial and five through guilty pleas. Another three persons recently were indicted for vote buying for a candidate for the state senate in the 2000 primary in Knott County and neighboring counties. Finally, four persons were convicted by juries of vote buying and related offenses in the 2002 general election in Pike County, including the county district judge. Another person also pleaded guilty to these charges.
- In New Hampshire, two political party officials and another person were indicted on charges relating to a scheme to prevent voters from getting to the polls in the November 2002 general election by jamming phone lines of local organizations. Two of the defendants pleaded guilty to telephone harassment charges and the third is awaiting trial for conspiring to violate the right to vote for federal officials and other related offenses.
- In Kansas and Missouri, three Kansas residents have been convicted, one in Kansas and two in Missouri, of voting in both Kansas and Missouri in the 2002 and 2000 elections.
- In Florida, 14 non-citizens, including a candidate for the state legislature, pleaded guilty or were convicted at trial of voting-related offenses in 1998 or later elections.

- 3 -

- In Louisiana, a candidate for St. Martinsville City Council pleaded guilty to conspiring to submit false voter registration information in 2002.
- In North Carolina, five persons were convicted of vote buying in the 2002 general election, three by a jury and two through guilty pleas.
- In West Virginia, four individuals, including the sheriff, the former chief of police, and the treasurer of a candidate for state representative, pleaded guilty to vote buying and related offenses in Logan County in the 2004 or 2002 elections. Also, five people have been indicted and are awaiting trial on charges of vote buying in Lincoln County in 2004 and earlier elections.
- In Wisconsin, four individuals have been charged with multiple voting, and six people have been charged with providing false information regarding their felon status, in the 2004 general elections.

CIVIL RIGHTS DIVISION

- **Election Coverage.** On Election Day in November 2004, the Division sent out 251 employees from the Division and 822 federal observers from the Office of Personnel Management (OPM) to monitor elections in 86 political subdivisions in 25 states. The number of monitors and observers used for that election was more than were used in all of 2000. During all of 2004, the Division sent a total of 1,996 individuals (533 department personnel; 1,463 OPM observers) to monitor 163 elections in 105 political subdivisions in 29 states.
- **Sections 203, 208 and 4(f)(4) of the Voting Rights Act.** The Civil Rights Division has undertaken the most vigorous enforcement of section 203 in the history of the Act. Since 2001, the Division has filed as many section 203 cases as in the previous 23 years, and the pace is accelerating, with more cases filed and successfully resolved since May 2004 than in the previous 11 years. These latter lawsuits alone provided comprehensive minority language programs to more citizens than all previous Section 203 and 4(f)(4) cases combined. During this period the Civil Rights Division filed the first-ever cases to protect Filipino voters (San Diego, California) and Vietnamese voters (San Diego) and in addition it negotiated a private agreement in Harris County, Texas. The Division also used sections 2, 4(e) and 208 to protect the rights of Haitian voters (Miami-Dade, Florida), Arab voters (Hamtramck, Michigan), and Puerto Rican voters (Berks County, Pennsylvania).
- **Section 2.** In July 2005, the Civil Rights Division filed a case against Osceola, Florida under section 2 alleging that the at-large method of election for the county commission dilutes Hispanic voting strength. It also filed a case against Boston, Massachusetts for discriminatory treatment of Chinese, Vietnamese and Hispanic voters at the same time. In February 2005, the Division filed a case in Noxubee County, Mississippi under section 2, alleging that local officials routinely discriminated against white voters on the basis of their race. That case has already resulted in a consent decree with several local officials and litigation of the claims against remaining defendants is ongoing. The Noxubee

- 4 -

County case marks the first time the Division has filed a case under the Voting Rights Act on behalf of white voters.

- **HAVA.** The Civil Rights Division is charged with enforcing the requirements of the Help America Vote Act of 2002, which mandates uniform and non-discriminatory election procedures for federal office. The Division has actively informed state and local officials of the Act's requirements through an extensive outreach effort, including the creation of a HAVA section on the Division website, responses to questions from election officials, and speeches given to election official conferences. The Division has worked closely with the Election Assistance Commission, which also has responsibilities under the Act, to ensure that the federal government gives consistent views to election officials about HAVA. The Division has obtained extensive voluntary compliance, but has also filed two lawsuits to ensure HAVA compliance, and has filed amicus briefs in several private HAVA cases to ensure consistency in interpretation of its provisions.
- **UOCAVA.** During 2004, the Civil Rights Division ensured that members of the armed forces and other persons protected by the Uniformed and Overseas Citizens Absentee Voting Act were able to request, receive and cast a ballot for federal offices in a timely manner in the 2004 elections. The Voting Section was able to resolve problems with state officials without the necessity of litigation, and also initiated litigation against Pennsylvania in April 2004 and Georgia in July 2004, successfully obtaining court orders requiring changes in the deadlines for the return of ballots so that overseas and military ballots would be counted in each state's 2004 primary election.
- **NVRA.** The Division brought two lawsuits under the National Voter Registration Act, a law designed to expand registration opportunities for all citizens and to ensure proper maintenance of voter registration lists. In *United States v. Pulaski County* (E.D. Ark.), the Division obtained a consent decree requiring the county to establish procedures to ensure that eligible voters were not improperly removed from the list of registered voters. The second lawsuit, *United States v. State of New York* (N.D.N.Y.), challenged the state's failure to provide registration opportunities at public college offices that provide services to persons with disabilities. This case remains in litigation. A third NVRA lawsuit remains pending in New York.

"As these election fraud and voting rights cases demonstrate, the Department's Ballot Access and Voting Integrity Initiative is a balanced law enforcement effort that is designed to make voting easier and cheating harder," said Acting Assistant Attorney General John C. Richter of the Criminal Division. "The Criminal Division, through the hard work of the Public Integrity Section, will continue its vigorous enforcement of voter fraud laws to ensure that elections are not corrupted and that every vote counts."

"Protecting access to the ballot for all eligible voters is a major priority of the Civil Rights Division," said Bradley J. Schlozman, Acting Assistant Attorney General for the Civil Rights Division. "The Ballot Access and Voting Integrity Initiative has been an important instrument in ensuring the effectiveness of our enforcement efforts."

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Department of Justice

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MONDAY, MAY 3, 2004
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(202) 514-2008
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JUSTICE DEPARTMENT TO MONITOR ELECTIONS IN MISSISSIPPI AND INDIANA

WASHINGTON, D.C. - The Justice Department today announced that it will send federal observers to Monroe County, Mississippi and Civil Rights Division personnel to Lake County, Indiana to monitor upcoming elections.

The federal observers will monitor the May 4th general election in the city of Aberdeen in Monroe County, Mississippi and Justice Department personnel will monitor the primary election in East Chicago in Lake County, Indiana also on May 4th.

Federal observers will be assigned to monitor polling place activities in Aberdeen based on the special coverage provisions of the Voting Rights Act. Monroe County was originally certified for federal examiners by the Attorney General on September 16, 1991. Federal observers were last assigned to the county pursuant to this authority on April 20, 2004. Under the Voting Rights Act, which protects the rights of Americans to participate in the electoral process without discrimination, the Justice Department is authorized to ask the Office of Personnel Management (OPM) to send federal observers to areas that are specially covered in the Act itself or by a federal court order under the Act.

The observers will watch and record activities during voting hours at select polling locations in the city. Civil Rights Division personnel will coordinate the federal activities and maintain contact with local election officials.

In East Chicago, Civil Rights Division personnel will monitor polling place activities for compliance with language minority provisions of the Voting Rights Act. The monitoring is part of an ongoing effort by the Civil Rights Division to protect the rights of language minority citizens.

Each year, the Department of Justice deploys hundreds of observers and attorneys to monitor elections across the country. In 2002, as part of the Attorney General's Ballot Access and Voting Integrity Initiative, the Division coordinated and sent 608 federal observers and 221 Justice Department personnel to 40 counties in 17 states to monitor 60 elections and ensure access to the polls. In 2003, the Division coordinated and sent 380 federal observers and 126 Department personnel to monitor 41 elections in 26 political subdivisions in 14 states.

To file complaints about discriminatory voting practices in this election, including acts of harassment or intimidation, voters may call the federal examiner at 1-888-496-9455.

More information about the Voting Rights Act and other federal voting laws is available on the Department of Justice website at < <http://www.usdoj.gov/crt/voting/index.htm>>.

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04-293



Department of Justice

FOR IMMEDIATE RELEASE
FRIDAY, OCTOBER 31, 2003
WWW.USDOJ.GOV

CRT
(202) 514-2008
TDD (202) 514-1888

FEDERAL OBSERVERS AND JUSTICE DEPARTMENT PERSONNEL TO MONITOR GENERAL ELECTION IN STATES ACROSS THE NATION

WASHINGTON, D.C. - The Justice Department today announced that it will send 160 federal observers and 39 Civil Rights Division personnel to 15 counties in 8 states to monitor state and local elections on November 4, 2003. These activities are part of Attorney General John Ashcroft's Voting Access and Integrity Initiative.

Under the Voting Rights Act, which protects the rights of Americans to participate in the electoral process without discrimination, the Justice Department is authorized to ask the Office of Personnel Management (OPM) to send federal observers to areas that are specially covered in the Act itself or by a federal court order under the Act.

"It is a priority of this Administration to ensure that all Americans are able to vote, free of hostility, harassment, or intimidation," said Assistant Attorney General R. Alexander Acosta. "The observers and Civil Rights Division personnel will monitor Election Day activities to ensure access to the polls and prevent discrimination."

For three counties, federal observer authority comes from court orders, and observers were assigned to another eight counties based on the special coverage provisions. Federal observers will monitor polling place activities in:

- Wayne County (Hamtramck), Michigan;
- Humphreys, Jones, Kemper, Leake, Neshoba, Newton, Noxubee and Winston counties, Mississippi;
- Passaic County, New Jersey; and,
- Berks County (Reading), Pennsylvania.

The observers will watch and record activities during voting hours at select polling locations in these counties. Twenty-one Justice Department personnel will coordinate the federal activities and maintain contact with local election officials.

In addition, Civil Rights Division personnel, most of whom are attorneys, will monitor elections in:

- San Francisco County, California;

- Jefferson County (Louisville), Kentucky;
- Essex County (Lawrence), Massachusetts;
- Queens County, New York; and,
- Harris County (Houston), Texas.

The observers and Department personnel will monitor whether certain counties and localities are complying with federal voting laws, for example: complying with the minority language provisions of the Voting Rights Act; determining whether any voters are challenged improperly on the basis of their race, color, or membership in a language minority group; permitting voters who are blind, disabled or unable to read or write assistance by a person of their choice; and permitting all eligible voters to cast a ballot.

At all times, complaints about discriminatory voting practices may be called in to the Voting Section of the Justice Department's Civil Rights Division at 800-253-3931. District Election Officers in 93 U.S. Attorney's Offices will also be available in every jurisdiction conducting elections across the United States. Complaints related to ballot integrity issues may be called in to the U.S. Attorney's Offices located in a particular state or to the Public Integrity Section of the Justice Department's Criminal Division at 202-514-1412.

More information about the Voting Rights Act and other federal voting laws is available on the Department of Justice's website site at www.usdoj.gov/crt/voting <<http://www.usdoj.gov/crt/voting>>.

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03-599



Department of Justice

FOR IMMEDIATE RELEASE
THURSDAY, OCTOBER 30, 2003
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(202) 514-2008
TDD (202) 514-1888

FACT SHEET PROTECTING VOTING RIGHTS AND PREVENTING ELECTION FRAUD

"The strength of our democracy demands that we fulfill the rights of both ballot access and ballot integrity – to guarantee every citizen, in accordance with the law, the right to vote, and to every voter the right to be counted." – Attorney General John Ashcroft

- For over 30 years, the Justice Department has had in place an Election Day program to ensure the right of eligible voters to cast their votes and help shape the nation's political leadership.
- The Department of Justice has responsibility for enforcing federal civil rights laws guaranteeing voting rights and prosecuting voting fraud. The Civil Rights and Criminal divisions of the Department of Justice are involved in elections to ensure both ballot access and ballot integrity.
 - The Civil Rights Division is charged with enforcing the Voting Rights Act of 1965 as well as the National Voter Registration Act, both of which are designed to guarantee access to the polls on Election Day.
 - The Criminal Division and the Department's 93 U.S. Attorneys are responsible for enforcing the voting fraud laws passed by Congress and signed by the President.
 - In October 2002, Attorney General John Ashcroft established the Voting Access and Integrity Initiative to provide increased protections. The Initiative mandated increased Department-wide efforts to enforce federal civil rights laws guaranteeing voting rights as well as deterring, and if necessary, investigating and prosecuting voter fraud.
 - The Justice Department will have its Election Day program in place for the November 4, 2003 election.

Election Day Program

"Preventing discrimination and ensuring access to the polls on Election Day is one of the primary missions of the Civil Rights Division." – Assistant Attorney General for Civil Rights R. Alexander Acosta

"Election crimes strike at the core of our system of government. Honest government which is responsible to the needs and desires of the people cannot flourish where the ballot box has been corrupted." - Assistant Attorney General of the Criminal Division Christopher R. Wray

- On November 4, 2003, the Department of Justice will have in place a nationwide program using all available means to guarantee access to the polls, protect individual voting rights, prevent fraud and prohibit voter intimidation. In those districts where voting activity will take place, federal prosecutors, investigators and Civil Rights Division attorneys will be readily available to the public for the purpose of receiving complaints and taking any appropriate action when the polls are open on Election Day. When the polls open, every available resource of the Department of Justice – both in Washington, D.C. and in the states – will be available to handle complaints, ensure access, open investigations, prosecute offenses and resolve cases.
- **Voting Access and Integrity Initiative.** In accordance with the Attorney General's directive, District Election Officers have been designated and will be available in each U.S. Attorney district to receive and handle any complaints received from the public.
- **Civil Rights Division:**
 - ✓ On Election Day, Civil Rights Division personnel will be available at a toll free number to receive complaints.
 - ✓ Since the passage of the Voting Rights Act of 1965, the Justice Department has regularly sent observers around the country to protect the voting rights of all citizens, including minority and elderly voters. This year, the Civil Rights Division will once again have monitors and observers in cities and towns across the country to ensure access to the polls, and to enforce our nation's civil rights laws.
 - ✓ The Division has been engaged in a major outreach effort to minority groups and election officials to inform jurisdictions of their obligations under the Language Minority Provision of the Voting Rights Act. The Division will enforce the law that requires jurisdictions meeting certain criteria to provide bilingual access to elections.
 - ✓ The Division will enforce existing consent decrees.
- **Criminal Division:**
 - ✓ The Criminal Division's Public Integrity Section has assigned attorneys to assist with potential election crime cases, as needed.
 - ✓ Lawyers with the Public Integrity Section will be on duty from the time the polls open on the East Coast until the time they close on the West Coast to provide consultation and coordination with the District Election Officers.

- ✓ Since the Attorney General's October 2002 announcement of the Voting Access and Integrity Initiative, the Criminal Division and the U.S. Attorneys' Offices have opened over forty-five criminal investigations regarding allegations of voting fraud and voter intimidation, as well as obtained numerous convictions.
- ✓ The Justice Department will enforce the laws that prohibit:
 - voter intimidation;
 - voting by ineligible individuals;
 - bribery of voters;
 - destruction of valid ballots or registrations;
 - altering vote tallies;
 - multiple voting;
 - abuse of absentee ballots;
 - malfeasance by election officials; and,
 - ballot boxes disappearing;
- **Election Day Contact Information:**
 - ✓ Voting Section [COMPLAINTS RELATED TO ACCESS]
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
800-253-3931
 - ✓ Public Integrity Section [COMPLAINTS RELATED TO BALLOT INTEGRITY]
Criminal Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
202-514-1412
 - ✓ Office of Public Affairs [ALL MEDIA INQUIRIES]
950 Pennsylvania Avenue, NW
Washington, DC 20530
202-514-2007

**Background Information on the Justice Department's Mission
to Protect Voting Rights and Prevent Election Fraud**

- **The Voting Access and Integrity Initiative.** In October 2002, the Attorney General ordered the creation of a Department-wide Voting Access and Integrity Initiative. The goals of this initiative were to:
 - ✓ enhance our ability to deter discrimination and election fraud; and,
 - ✓ prosecute violators vigorously whenever and wherever these offenses occur.

- **Civil Rights and Criminal Division Leaders Heading Initiative.** To protect the vote of Americans, resources from across the Department of Justice have been committed to this effort. Assistant Attorney General of the Civil Rights Division R. Alexander Acosta and Assistant Attorney General of the Criminal Division Christopher A. Wray are leading this initiative. Mr. Acosta has met with individuals and civil rights organizations to discuss our commitment to enforcing voting rights and ensuring voter participation.
- **2003 Voting Integrity Symposium.** In September 2003, the Justice Department sponsored its second annual training seminar in Washington, D.C. for District Election Officers of all 93 U.S. Attorney's Offices. The two-day seminar provided comprehensive training to federal prosecutors on the handling of elections crimes and voting rights violations.
- **Designating Federal Prosecutors to Address Voting Matters.** The Attorney General directed all 93 U.S. Attorneys to designate a District Election Officer responsible for our efforts on Election Day. These officers are experienced Assistant U.S. Attorneys with knowledge of the laws that:
 - ✓ prohibit racial discrimination and voter intimidation;
 - ✓ govern absentee voting for uniformed and overseas citizens, the elderly, and citizens with disabilities; and,
 - ✓ protect the voting rights of minority language Americans.
- **District Election Officers.** These officers are election experts in their Districts, and implement the Department of Justice's response to election fraud and campaign financing crimes under the overall supervision of the Public Integrity Section pursuant to 9 U.S.A.M. 85.210.
 - ✓ Terms of a District Election Officer last through the end of July in the next even-numbered year.
 - ✓ District Election Officers met with senior election administrators within their Districts to offer federal assistance in the investigation and prosecution of electoral crimes that occur during the forthcoming federal election.
- **State Coordination.** District Election Officers have met with different local and state officials, as well as election coordinators, to coordinate the handling of election matters and offer federal assistance in the investigation and prosecution of election-related crimes that may occur in connection with the November 2003 election.

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03-593

USA_00223392



Department of Justice

FOR IMMEDIATE RELEASE
MONDAY, NOVEMBER 4, 2002
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AG
(202) 514-2008
TDD (202) 514-1888

FACT SHEET PROTECTING VOTING RIGHTS AND PREVENTING ELECTION FRAUD

"The strength of our democracy demands that we fulfill the rights of both ballot access and ballot integrity – to guarantee every citizen, in accordance with the law, the right to vote, and to every voter the right to be counted." – Attorney General John Ashcroft

- For over 30 years, the Justice Department has had in place an Election Day program to ensure the right of eligible voters to cast their votes and help shape the nation's political leadership.
- The Department of Justice has responsibility for enforcing the laws guaranteeing voting rights and prosecuting voting fraud. The Civil Rights and Criminal divisions of the Department of Justice are involved in elections to ensure both ballot access and ballot integrity.
 - The Civil Rights Division is charged with enforcing the Voting Rights Act of 1965 as well as the National Voter Registration Act, both of which are designed to guarantee access to the polls on Election Day.
 - The Criminal Division is responsible for enforcing the voting fraud laws passed by Congress and signed by the President.

Election Day Program

"Ensuring access to the polls on Election Day is one of the primary missions of the Civil Rights Division." – Assistant Attorney General for Civil Rights Ralph Boyd, Jr.

- On this Election Day, the Department of Justice will have in place a nationwide program using all available means to guarantee access to the polls, prevent fraud and prohibit voter intimidation. Federal prosecutors and investigators will be readily available to the public for the purpose of receiving complaints and taking any appropriate action when the polls are open on Election Day. When the polls open, every available resource of the Department of Justice – both in Washington, D.C. and in the states – will be available to handle complaints, ensure access, open investigations and prosecute offenses.

- **Voting Access and Integrity Initiative.** In accordance with the Attorney General's directive, District Election Officers have been designated and will be available in each U.S. Attorney district to receive and handle any complaints received from the public.
- **Civil Rights Division:**
 - ✓ On Election Day, Civil Rights Division personnel will be available at a toll free number to receive complaints.
 - ✓ Since the passage of the Voting Rights Act of 1965, the Justice Department has regularly sent observers around the country to protect the rights of all voters, including minority and elderly voters. This year, the Civil Rights Division will be coordinating nearly 500 government employees - including 108 attorneys from the Department of Justice - who will be in cities and towns across the country to ensure access to the polls, and to enforce our nation's civil rights laws.
 - The Department of Justice will send 324 federal observers and 108 Justice Department personnel to 26 counties in 14 states to monitor the general election.
 - States that will be assigned monitors and Justice Department personnel include Arizona, California, Connecticut, Florida, Georgia, Michigan, Mississippi, Missouri, New Jersey, New Mexico, New York, Pennsylvania, Texas and Utah.
 - ✓ The Division has been engaged in a major outreach effort to minority groups and election officials to inform jurisdictions of their obligations under the Language Minority Provision of the Voting Rights Act. The Division will enforce the law that requires jurisdictions meeting certain criteria to provide bilingual access to elections.
 - ✓ Thousands of citizens in 80 jurisdictions who would not have received assistance before will be provided help in exercising their voting rights on Election Day. This assistance includes providing registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, provided in the language of the applicable minority group as well as in the English language.
 - ✓ The Division will enforce existing consent decrees.
- **Criminal Division:**
 - ✓ The Criminal Division's Public Integrity Section has assigned attorneys to assist with potential election crime cases, as needed.
 - ✓ Lawyers with the Public Integrity Section will be on duty from the time the polls open on the East Coast until the time they close on the West Coast to provide consultation and coordination with the District Election Officers.

- ✓ Since the Attorney General's announcement on October 1st of the Voting Access and Integrity Initiative, the Criminal Division has opened sixteen cases regarding allegations of voting fraud, voter intimidation, and others.
- ✓ The Justice Department will enforce the laws that prohibit:
 - voter intimidation;
 - voting by ineligible individuals;
 - bribery;
 - destruction of valid ballots or registrations;
 - counting more votes than there are registered voters;
 - altering vote tallies;
 - voting in multiple counties;
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 - malfeasance by election officials; and,
 - ballot boxes disappearing;

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- **Designating Federal Prosecutors to Address Voting Matters.** The Attorney General directed all 94 U.S. Attorneys to designate a District Election Officer responsible for our efforts on Election Day. These officers are experienced Assistant U.S. Attorneys with knowledge of the laws that:
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- **District Election Officers.** These officers are election experts in their Districts, and implement the Department of Justice's response to election fraud and campaign financing crimes under the overall supervision of the Public Integrity Section pursuant to 9 U.S.A.M. 85.210.
 - ✓ Terms of a District Election Officer last through the end of July in the next even-numbered year.
 - ✓ District Election Officers met with senior election administrators within their Districts to offer federal assistance in the investigation and prosecution of electoral crimes that occur during the forthcoming federal election.

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